REMARKS

Claims 37-40 and 42-58 have been canceled in this paper. Claims 3-6, 9-10, 12-17, 19-22, 24-28, 30-32, 34-36 and 41 have been amended in this paper. No claims have been added in this paper. Therefore, claims 1-36 and 41 are pending and are under active consideration.

In the outstanding Office Action, the Patent Office sets forth the following election of invention requirement:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-36 and 41, drawn to a method and device for the development/generation of gene panels, classified in class 702, subclasses 19 and 20.

II. Claims 37-39, drawn to a gene panel, classified in class 435, subclass 283.1.

III. Claims 40 and 42-54, drawn to a method for the diagnosis of a disease, classified in class 435, subclass 6.

IV. Claims 55-58, drawn to a method for the treatment of a disease or medical condition, classified in class 514, subclass 1.

In response to the above election of invention, Applicants respectfully elect Group I, claims 1-36 and 41.
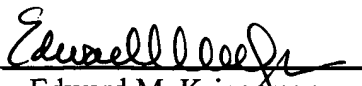
In conclusion, it is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an

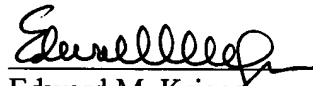extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Kriegsman & Kriegsman

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Dated: October 29, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 29 2004   .

Edward M. Kriegsman
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